



IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
ORDINARY ORIGINAL CIVIL JURISDICTION  
COMMERCIAL ARBITRATION APPLICATION (L) NO.12383 OF 2026

M/s. STS-KPTL JV

...Applicant

V/s.

Konkan Railway Corporation Limited

...Respondent

**Mr. Shyam Kapadia** with *Mr. Soheb Khatri, Dr. Sunil Mittal, Mr. Amit Sagar & Mr. Vigil Braganza i/b.M/s. Sagar Associates for the Applicants*

**Mr. Gaurav Jangale** with *Ms. Akshita Jain & Mr.Harshit Kumar i/b. M/s. I.V. Merchant & Co. for the Respondent.*

CORAM: SANDEEP V. MARNE, J.

DATED: 24 APRIL 2026.

**P.C.:**

1) This is an Application filed under Section 11 of the Arbitration and Conciliation Act, 1996 (**the Arbitration Act**) for appointment of an Arbitrator for adjudication of disputes and differences arising out of a Contract Agreement dated 12 February 2018.

2) I have heard Mr. Kapadia, the learned counsel appearing for the Applicant and Mr. Jangle, the learned counsel appearing for the Respondent.



3) Mr. Jangle does not seriously dispute the existence of arbitration agreement between the parties. However, he raises several objections relating to maintainability and merits of the claim of the Applicant.

4) In my view, those objections can be raised before the Arbitral Tribunal by the Respondent. Since existence of arbitration agreement is not disputed, it would be appropriate to constitute Arbitral Tribunal of a sole Arbitrator. It appears that the arbitration clause provides for Arbitral Tribunal comprising of three Arbitrators. However, the learned counsel appearing for the parties have agreed for Arbitral Tribunal comprising of a sole Arbitrator.

5) Accordingly, I proceed to pass the following order:-

(A) Mr. Justice R.Y. Ganoo, former Judge of this Court is appointed as sole Arbitrator to adjudicate upon the disputes and differences between the parties arising out of Contract Agreement dated 12 February 2018. The contact details of the Arbitrator are as under:-

Office Address:- Office No.19, first floor, Rohit Chambers, Janmabhoomi Marg, Fort, Mumbai-400 001.

Mobile No.:- 9920167959

Email id:- ryganoo@gmail.com

(B) A copy of this order be communicated to the learned sole Arbitrator by the Advocates for the Applicant within a period of one week from the date of uploading of this order. The Applicant



shall provide the contact and communication particulars of the parties to the Arbitral Tribunal alongwith a copy of this order.

(C) The learned sole Arbitrator is requested to forward the statutory Statement of Disclosure under Section 11(8) read with Section 12(1) of the Act to the parties within a period of 2 weeks from receipt of a copy of this order.

(D) The parties shall appear before the learned sole Arbitrator on such date and at such place as indicated by him, to obtain appropriate direction with regard to conduct of the arbitration including fixing a schedule for pleadings, examination of witnesses, if any, schedule of hearings etc.

(E) All arbitral costs and fees of the Arbitral Tribunal shall be borne by the parties equally in the first instance, and shall be subject to any final Award that may be passed by the Tribunal in relation to costs..

6) All issues on merits are expressly kept open to be agitated before the Arbitral Tribunal appointed as above.

7) With the above directions, the Application is **disposed of**.

**[SANDEEP V. MARNE, J.]**